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May 30, 2023

Hon. Eric R. Komitee
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: File: 00094-McCree
Salima McCree, et al. v The City of New York, et al.
Case Number: 21-cv-02806-EK-SJB


Dear Judge Komitee:

I am saddened to inform you that on or about May 25, 2023 Matthew McCree passed away. We are not yet in possession of a death certificate. We have begun the process of establishing an administrative estate for Matthew to allow an administrator to be substituted into this matter.

Due to the backlog in the Kings County Surrogates Court from the increased petitions during the pandemic, this may take longer than usual. Thus, this letter does not serve as a formal suggestion of death and is not meant to trigger the deadline of filing a motion to substitute the now deceased party.

I am also enclosing a Declaration signed by a key witness in this matter, Pauline Kornegay, who confirms bad faith on behalf of the defendants in the underlying proceedings: an attempt at suborning perjury.

Respectfully submitted,



Caner Demirayak, Esq.

Encl.

CC: Defense counsel via ECF

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
SALIMA MCCREE AND MATTHEW MCCREE,

Plaintiffs.

Index No.: 21-cv-02806-EK-SJB

- against -

THE CITY OF NEW YORK, HEATHER
LEYKAM, MELINDA ALGARIN, ELIZABETH
STANHAM, AND UMBERTO P. JEAN-LOUIS,

Defendants.
-----X

**DECLARATION OF PAULINE
KORNEGAY**

PAULINE KORNEGAY, pursuant to 28 U.S.C. 1746(2) declares as follows:

1. I was a witness called on behalf of the defendants in the underlying family court neglect proceedings against the plaintiffs during a 1027 hearing.
2. Prior to my testimony on December 5 and 6, 2016 I was prepared by defendants Umberto P. Jean-Louis and Melinda Algarin.
3. After I testified the defendants were not happy with my testimony.
4. I refused to provide answers that they demanded I provide. Instead, I testified about my observations as to the lack of any evidence of neglect.
5. I prepared the attached statement and grievance complaint to document what had occurred. Exhibit "1."
6. After I finished my direct testimony, I was dismissed and was not subjected to any questioning by the attorneys for the plaintiffs or their children.
7. I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 20, 2023


PAULINE KORNEGAY

Date 12/05/2016.

Family Court at 330 Jay St.

At Hon Eriks Pitchal

I was subpoenaed by the ACS attorney Umberto Jean P Louis from Brooklyn Family Court at 330 Jay St. for a 1027 Hearing. On 12/05/2016. And 12/06/2016 to testify against my clients Kayla and Kaydeo McCree) parents. Before the parents had arrived to Family Court I was being prepped by CPS attorney Mr. Jean P Louis before we went into the courtroom. Mr. Jean P Louis asked me different questions I hardly remember the exact questions but one of the questions was that I ever see the children dirty or neglected and I said no. The CPS attorney Mr. Jean P Louis and CPS caseworker Ms. Melinda Algarl was not happy with the way I answered the question and he was upset with Miss Melinda for bringing me as a witness Mr. Jean P Louis told Melinda that he did not want to put me on the witness stand after he heard the answer to my question he was asking me but I was already subpoenaed while I was on the witness stand CPS attorney Mr. Jean P was asked the mean numerous of questions trying to get me to say the opposite of what I said outside but I wouldn't when I got off the witness stand I was dismissed and they were on their recess and I overheard the CPS attorney Mr. Jean P Louis tell the CPS caseworker Melinda Algarl, school Psychologists Elizabeth Sanna and the school Principal Heather Leykam from P53@MS88 that he should have never asked me to calm because I did not help their case. I then went and told Mrs. and Mr. McCree and their attorneys what I heard the CPS attorney Mr. Jean P Louis say and then I left the court I received the call from Mrs. McCree informing me that Elizabeth Sanna the school psychologist from p53 had testified against me when I was Summit by the CPS attorney Mr. Jean P Louis to testify against the parents. They was upset with me for testifying truthfully and not testifying in their favor.

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

GRIEVANCE COMMITTEE FOR THE
SECOND, ELEVENTH & THIRTEENTH JUDICIAL DISTRICTS
335 Adams Street, Suite 2400
Brooklyn, NY 11201

COMPLAINT FORM

Date: 7/5/17

COMPLAINANT INFORMATION

Your Name: (Mr.)(Mrs) Kornegay Pauline PK
(Ms.)(Dr.) (Last) (First) (Initial)

Address: 1012 Gates Avenue 2nd fl
(Street) (Apt. #)
Brooklyn Kings NY 11221
(City) (County) (State) (Zip Code)

Telephone: (Home) _____ (Office) 516-280-9361
Ext 103

ATTORNEY COMPLAINED OF:

Name: Louis P. Jecin Umberto
(Last) (First) (Initial)

Office Address: _____
(Street) (Suite/Room)

(City) (County) (State) (Zip Code)

Telephone: _____ Email: _____

CONTACT WITH OTHER AGENCIES

Have you contacted any other agency, such as a Bar Association or District Attorney's Office, concerning this matter? NO

If so, state the name of the agency: _____

What action was taken by the agency? _____

COURT ACTION TAKEN BY YOU AGAINST THE ATTORNEY NO

Have you taken any civil or criminal action against the attorney? _____

If so, please name the court and provide the index number: _____

What action was taken by the court? _____

Explain your complaint against the attorney in as much detail as possible. When did you retain the attorney? How much did you pay? What legal services did the attorney agree to perform for you? What did the attorney actually do for you? What conduct did the attorney commit that you believe is improper? Send this office COPIES of all documents that you believe support your claim, with the names and addresses of any witnesses. (Please use a pen with black ink. If necessary, continue your narrative on a separate sheet of paper.)

Please see Attached.

Please Sign Here

Note: Unsigned complaints and those sent by e-mail or fax transmission will not be processed.
For more information regarding our rules and procedures please visit our website at:
www.nycourts.gov/courts/ad2 and follow the link for Attorney Matters.

I was subpoenaed by Mr. Jean to testify against (my clients Kayla and Kaydeo McCree) parents. Before we went into the court room I was being prepped by Mr. Jean asking me different questions. I hardly remember the exact questions but one of the questions was did I ever see the children dirty or neglected and I said no. Mr. Jean was not happy with the way I was answering the questions and he was upset with Ms. Malinda for bringing me as a witness. Mr. Jean told Melinda that he did not want to put me on the stand after he heard the answers to the questions he was asking me but I was already subpoenaed. While I was on the stand Mr. Jean was asking me numerous questions trying to get me to say the opposite of what I said outside but I wouldn't. When I got off the stand I was dismissed and they were on a recess and I overheard Mr. Jean telling the school psychologist and the school principal that he should have never asked me to come because I did not help his case. I then went and told Ms. And Mr. McCree and their lawyers what I heard Mr. Jean say and then I left. After court I received a call from Ms. McCree informing me that Elizabeth Sanna the school Psychologist has testified against me.